

Department of Public Health
and Human Services

FAMILY MEDICAID

DRAFT

Section:
CHILD SUPPORT

Subject:
Cooperation

Supersedes: FMA 901-1, 07/01/05

References: 42 CFR 433.147, .148; ARM 37.82.101, .416



GENERAL RULE--As a condition of **the adult's** eligibility for MA-FM, MA-QP and MA-EC, if both of the child's natural or adoptive parents are not living with the child, the custodial parent or specified caretaker relative (with whom the child **is** living) is required to cooperate with the State in pursuing medical support (unless good cause for failing or refusing to do so is determined to exist).

If the child receives SSI, the adult must still cooperate with completing the referral. The information is entered on the ABP screens. However, the referral is not sent to Child Support, either electronically or the paper copies.

NOTE: Medicaid eligibility must be processed for the child(ren) even if the adult fails or refuses to comply with completing a child support referral. The adult's participation code on SEPA is 'DQ'.

Cooperation involves:

1. Completing a "Child Support Enforcement Referral" (Form HCS/CS-332);
2. Identifying and locating the child's non-custodial parent(s);
3. Assisting in establishing paternity of a child born out of wedlock;
4. Obtaining medical support;
5. Obtaining any other payments or property due the applicant/recipient or the child; and
6. Assisting in any of the following actions –
 - a. Appearing at the local child support enforcement office or the County Office of Public Assistance, to provide oral or written information or documentary evidence relevant to the case;
 - b. Appearing as a witness at court or other hearings or proceedings; or

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- c. Providing information or attesting to the lack of information under penalty of perjury.

COOPERATION PROCEDURE

- Specified Caretaker Relative/Parent** 1. Complete all items on Form HCS/CS-332 except those in the shaded areas marked "Agency Use Only".
- NOTE:** A separate HCS/CS-332 must be completed for each non-custodial/absent parent.
- Eligibility Case Mgr** 2. Review the HCS/CS-332. If the individual claims good cause, follow the procedure stated in FMA 902-1. Complete the "Agency Use Only" sections.
3. Enter non-custodial/absent parent and good cause data to TEAMS ABP1 and CSED screens.
4. Request the parent/specified caretaker relative to provide certified/notarized copies of the following documents (if available; if not available, plain copies will suffice) as appropriate:
- Marriage license, divorce decree, or separation order;
 - A signed acknowledgment of paternity if there is no marriage;
 - The child(ren)'s birth certificate(s); or
 - Proof of death, if the absent parent is deceased.
5. Review for completeness and sign-off.
6. Immediately send the white copy with documents attached, to the regional child support enforcement office (refer to FMA 905-1 for addresses). Keep the yellow copy in the case file under the CSED tab.

In the **ASG** field of the CSED screen, indicate whether the PI is cooperating or is exempt from child support eligibility criteria.

Code

Description

Y

Meets assignment requirement; has completed the HCS/CS-332, provided necessary documents if available OR has a valid claim of good cause which has been approved.

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NE Not exempt and not cooperating; refuses to or has not completed the HCS/CS-332 or has been cited by CSED for non-cooperation.

EX Exempt; CSED cooperation is not a condition of eligibility for assistance - single parent adoption; no absent parent; parental rights have been terminated.

In the **COOP** field of the CSED screen, TEAMS will display a 'Y' or 'N'. TEAMS will determine cooperation status based on the information entered on the ABP1 screen.

CASE CLOSURE WHILE IN NON- COOP STATUS

If an individual is not cooperating with CSED and the case closes for any reason, system case notes **must** be documented regarding the non-cooperation and indicate that the case cannot be reopened until the individual is again cooperating with CSED. A person alert should also be set.

When reopening a case in which CSED cooperation is a requirement, always check case notes prior to reopening the case to be sure the individual was cooperating at time of closure. If the individual was not cooperating with CSED at the time of closure, the case cannot be opened until they have cooperated with CSED.



NOTE: If CSED has closed their medical support case, the individual only needs to complete a new set of HCS/CS-332's for each child's non-custodial parent(s) to be considered cooperating.

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